

RFQ NO. 1587621 – ATTACHMENT 1
PERFORMANCE WORK STATEMENT (PWS)
FOIA Case Management System and Support Services

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF GENERAL COUNSEL
NATIONAL FOIA OFFICE

PERFORMANCE WORK STATEMENT

For

FOIA Case Management System and Support Services

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1. INTRODUCTION AND BACKGROUND

The United States Environmental Protection Agency's (the Agency) Office of General Counsel (OGC), National FOIA Office (NFO) seeks to purchase a FOIA Case Management System and Support Services solution.

The following Performance Work Statement (PWS) is intended to describe work to be performed for the United States Environmental Protection Agency's (EPA) Office of General Counsel's (OGC) National FOIA Office (NFO). The NFO will contract to provide the public and EPA users with the next generation EPA FOIA case management software system. The system will, manage request submissions; provide efficient workflows and request tracking; manage billing; provide effective document management; produce required and ad-hoc reporting; and provide communications tracking and management while delivering user-friendly access to requests and records. The new system will be accessible, stable, state of the art, cost efficient, financially sustainable, and an easy-to-use service for both the public and EPA users.

The Environmental Protection Agency (EPA), Office of General Counsel (OGC), National FOIA Office (NFO) is responsible for implementing the Freedom of Information Act (5 U.S.C. § 552) (FOIA). The FOIA allows any person to obtain access to federal agency records, or portions of them, from agencies including the EPA. The FOIA allows agencies to withhold information from release only if disclosure would harm an interest protected by one of nine exemptions.

The Act identifies response time periods; agency records subject to disclosure; outlines disclosure procedures; and specifies nine exemptions that protect information from release. The NFO's mission is to lead the Agency's response to requests in a defensible and timely manner. The NFO, receives FOIA requests through a centralized intake structure; assigns the requests to headquarters and regional offices for processing; and conducts tracking, analysis, and reporting of EPA's FOIA processing.

In 2012, EPA launched FOIAonline - a multi-agency, web-based software application - to allow the public to submit FOIA requests; track request processing; communicate with agency staff; search other requests; access released responsive documents; and file appeals.

For partner agencies, including EPA, FOIAonline is their workflow case management system and records repository. FOIAonline allows EPA users to receive and store requests; assign requests to offices and regions for processing; record processing steps and processing decisions; communicate with requesters; manage records including records release; generate metrics; and create ad hoc, quarterly, and annual reports.

In November 2021, EPA announced its intention to shut down FOIAonline at the end of calendar year 2023. By September 30, 2023, the system will be deprecated and FOIAonline will no longer receive new requests or process existing requests. During the last three months of calendar year 2023, its operations will be limited to preparing fiscal year 2023 annual FOIA reports. On December 31, 2023, FOIAonline will be removed from EPA IT systems and will be destroyed.

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2. PURPOSE

EPA is acquiring a software as a service (SaaS), commercial-off-the-shelf (COTS), cloud-based FOIA case management system to replace the FOIAonline case management system. The new system will not be a shared federal service.

The purpose of the FOIA case management system is to provide EPA with a state of the art, financially sustainable solution that supports efficient and effective request processing and allies with the Agency's fundamental commitment to timeliness, disclosure, accountability, transparency and cooperation under the Freedom of Information Act (FOIA).

3. MISSION

To provide a SaaS, COTS, cloud-based FOIA case management software system that is an easy-to-use product for all stakeholders, while maximizing use of existing IT frameworks; minimizing financial burdens; and supporting the public's opportunity to engage with EPA.

4. SCOPE

The next generation SaaS, COTS, cloud-based EPA FOIA case management system will allow for submittal of requests, tracking, billing, reporting, management and communication while providing user-friendly access to requests and records. The new system will be secure, accessible, stable, up to date, cost efficient and sustainable, easy to use for both the public and EPA users, support efficient workflows with minimal manual steps, and be regularly updated with enhancements.

The FOIA case management system and support services solution must comply with and enable EPA to efficiently implement all applicable laws, regulations, and EPA policies, including those pertaining to confidentiality requirements, non-disclosure requirements, confidential business information requirements, continuous service improvement requirements, staffing requirements, program management requirements, and include an appropriate phase-in plan and/or a phase-out plan.

The FOIA case management system and support services solution must provide acceptable phase-in staging, including access to the system for security review and evaluation, data migration, helpdesk support services and training for both EPA users and public users prior to full operation commencing on June 30, 2023.

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5. OBJECTIVES

The objectives of this contract are the following.

- 5.1 Software as a Service Configuration: EPA seeks an Agile configuration approach to support evolving FOIA workflows and processes; establishing efficient workflows; and, reducing complexity, communications, and the training burden.
- 5.2 FOIA Case Management System: EPA seeks a solution to help EPA efficiently comply with the Freedom of Information Act and build public trust through transparency.
- 5.3 Operations and Maintenance: EPA seeks a continuously accessible, operational, and secure FOIA Case Management System, providing optimal experience and functionality for all Users.
- 5.4 Help Desk Support: EPA seeks to obtain timely resolution of reported issues to ensure professional and positive end-user experience and the ability to elevate unresolved issues to appropriate personnel.
- 5.5 Training: EPA seeks effective training and documentation for end-users and administrators on the FOIA case management system to ensure users are proficient in system features and functionality and able to use the system effectively and have a positive experience doing so.
- 5.6 Interoperability: EPA seeks a flexible solution that maximizes use of EPA designated IT systems both internal and external (new and existing) to leverage capabilities, ensure compliance, and optimize cost.
- 5.7 Transition Support: EPA seeks a smooth transition between contractors at the start and end of the contract period of performance for seamless continuity of operations, system performance, and data integrity.
- 5.8 Records Management: EPA seeks a secure records management solution that enables the public and EPA personnel to easily store, search, retrieve, and dispose of records in a cost efficient and effective manner.

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6. SYSTEM CAPABILITIES

6.1 SaaS Configuration (6 Requirements and 1 Preference)

- 6.1.1 The system must be delivered to EPA users and public users as a full SaaS deployment accessible through the web using standard software applications.
- 6.1.2 The system must be deployed and maintained with industry standard security configurations at least sufficient to maintain a Federal Risk and Authorization Management Program (FedRAMP) moderate certification.
- 6.1.3 The system must allow for reporting to EPA sufficient to meet its hosting environment and application audit requirements for accounts and configuration/patch management in compliance with EPA's internal and external assessment and security needs.
- 6.1.4 The system must allow for EPA users to be able to establish and maintain role-based access on an individual account basis to allow for a least-privilege configuration.
- 6.1.5 The system must provide low-code/no-code workflow generation and modification by EPA users to maintain appropriate processes for EPA FOIA processing and application management without the need for application developer interaction.
- 6.1.6 The system must provide automated and custom triggers to remind EPA users of deadlines and tasks set by individual EPA users or as an administrative FOIA processing function.
- 6.1.7 EPA prefers that the system is accessible to EPA users through an enterprise-wide license.

6.2 FOIA Case Management (58 requirements & 17 preferences)

- 6.2.1 The contractor must provide documentation of previously executed federal government contract vehicles for the proposed system.
- 6.2.2 The contractor must identify the General Services Administration (GSA) Schedule, Governmentwide Acquisition Contract (GWAC), or Multiple Award Schedule (MAS) contract vehicle(s) from which the proposed system may be procured.

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- 6.2.3 The contractor must migrate all records, structured data, and unstructured data from EPA's incumbent FOIA case management system, FOIAonline, into its system for use by all EPA users and, as EPA designates, by public users.
- 6.2.4 The system must satisfy all requirements of Section 508 of the Rehabilitation Act throughout the contract term.
- 6.2.5 EPA prefers that the system satisfies the requirements of Department of Defense Directive 5015.2, Electronic Records Management Software Applications Design Criteria Standard throughout the contract term.
- 6.2.6 The system must comply with National Archives and Records Administration Electronic Records Management regulations (36 C.F.R. Part 1236) throughout the contract term.
- 6.2.7 The system must provide out-of-the-box low code/no code configurable FOIA case management workflows based upon role-based permissions.
- 6.2.8 EPA prefers that the system is able to create reports on all data and metadata maintained in the system for use by EPA users.
- 6.2.9 The system must create and assign unique, standardized identifiers for each FOIA request (hereinafter "request"), allowing for each record to be controlled by a unique identifier.
- 6.2.10 The system must accurately compile raw data and perform accurate calculations within the system in accordance with Department of Justice guidelines for the FOIA Annual Report.
- 6.2.11 The system must provide EPA users the ability to create standard reporting.
- 6.2.12 The system must provide EPA users the ability to create ad hoc reporting.
- 6.2.13 The system must record, calculate, and manage all statutorily required timeframes in accordance with the FOIA statute and EPA regulations.
- 6.2.14 The system must record and calculate time periods between all actions within the system (i.e., audit log) from which EPA users can generated ad hoc reports.
- 6.2.15 The system must provide EPA users the ability to generate correspondence templates.
- 6.2.16 The system must provide the ability to create customizable public facing instructional text for FOIA request submissions, allowing public users (requesters) to attach files to their request and accept the submitted request into the system.

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- 6.2.17 The system must provide the ability to create customizable public facing instructional text for fee waiver submissions, allowing public users (requesters) to attach files to their request, and accept the submitted request into the system.
- 6.2.18 The system must provide the ability to create customizable public facing instructional text for expedited processing submissions, allowing public users (requesters) to attach files to their request, and accept the submitted request into the system.
- 6.2.19 The system must provide the ability to create customizable public facing instructional text for FOIA appeal submissions and allow public users (requesters) to attach files to their request and accept the submitted request into the system.
- 6.2.20 The system must provide the ability to create customizable public facing instructional text for the Office of Inspector General (OIG) FOIA request submissions and allow public users (requesters) to attach files to their request and accept the submitted request into the system.
- 6.2.21 EPA prefers that the system provides the ability to create customizable public facing instructional text for Privacy Act submissions and allow public users (requesters) to attach files to their request and accept the submitted request into the system.
- 6.2.22 The system must support unique configuration of rules and workflow for proprietary business information determinations.
- 6.2.23 The system must support creation of cases by EPA users for FOIA requests submitted by non-electronic means (e.g., U.S. Mail, overnight delivery, hand-delivery).
- 6.2.24 The system must assign unique standardized identifier when the request is submitted by the requester.
- 6.2.25 The system must allow authorized EPA users to assign designated fee categories to submitted requests.
- 6.2.26 The system must include the ability to add notes to the case record for efficient case record keeping.
- 6.2.27 The system must be capable of designating a request as perfected.
- 6.2.28 EPA prefers that the system automatically assigns processing statuses to requests (e.g., Submitted, Intake -Initial Evaluation, Perfected Requests, Assignment Determination, etc.).

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- 6.2.29 The system must assign and track tasks (e.g., initial review, expedited review, search pending, etc.).
- 6.2.30 The system must allow uploading all task-related documents and supporting files to facilitate efficient task completion.
- 6.2.31 The system must allow cancellation of assigned tasks.
- 6.2.32 The system must allow EPA users to identify and create views of all cases received by the agency.
- 6.2.33 The system must identify requests received but not assigned to an EPA component.
- 6.2.34 EPA prefers that the system allows assignment of subject metadata to requests.
- 6.2.35 EPA prefers that the system allows permission-based EPA user views of individual staff workloads.
- 6.2.36 EPA prefers that the system records assignment dates.
- 6.2.37 EPA prefers the system has dynamic search capabilities to identify duplicate requests.
- 6.2.38 The system must create automated notification of staff assignments.
- 6.2.39 The system must allow staff to add notes to the case record.
- 6.2.40 The system must allow EPA staff to create requests, referrals, consultations, appeals, and proprietary business information cases.
- 6.2.41 The system must assign expedited processing tasks.
- 6.2.42 The system must assign fee waiver tasks.
- 6.2.43 EPA prefers that the system is able to search for and identify delinquent fees to aid in overdue fee collection.
- 6.2.44 EPA prefers that the system assign/reassign requests and provide automated notifications about the assignment/reassignment.

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- 6.2.45 The system must provide real-time dashboards and analytics, creating views of all requests' processing status and metrics.
- 6.2.46 The system must be able to allow a view of all requests assigned by EPA user role.
- 6.2.47 The system must create and manage EPA user lists and designate each EPA user's permission level.
- 6.2.48 The system must allow configuration of internal EPA FOIA offices and regions for each request assignment.
- 6.2.49 The system must create and manage a multi-tier tracking system (e.g., simple, complex, expedited, fee waiver).
- 6.2.50 The system must be able to create and manage a FOIA exemption 3 statute list.
- 6.2.51 The system must allow permission-based EPA users to over-ride date calculations that are part of processing workflows.
- 6.2.52 The system must include a processing clock that tracks working day (excluding weekends and federal holidays) processing time and that has stop/hold capabilities to allow clock tolling for request clarification purposes and fee related reasons.
- 6.2.53 The system must allow permission-based EPA users to manage the request clock, including the ability to stop the clock for request clarification purposes and fee related reasons and to extend due dates with fields to record the basis for time management decisions.
- 6.2.54 The system must provide permission-based EPA users the ability to close or re-open requests.
- 6.2.55 The system must provide a view of all requests assigned to each component.
- 6.2.56 The system must allow permission-based EPA users to notify a request processor when the request is assigned.
- 6.2.57 The system must allow permission-based EPA users to re-assign requests and to notify the newly assigned processor.
- 6.2.58 The system must be able to unpublish records previously released to the public.

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- 6.2.59 EPA prefers that the system stores and retrieves all released and unreleased records according to a defined records management structure.
- 6.2.60 The system must have the ability to upload released and unreleased records with any size limitations higher than 750 GB, i.e., no requirement to break down a large file into separate documents if below this size.
- 6.2.61 The system must allow the public to access and download released records.
- 6.2.62 The system must be able to manage correspondence logs, allowing EPA users to sort by fielded data such as correspondence subject, date sent/received, sent by, and sent to.
- 6.2.63 EPA prefers the system track and manage Privacy Act requests.
- 6.2.64 EPA prefers the system apply certificate-based e-signatures to correspondence, which complies with the EPA's e-signature policy and PL 115-36 (21st Century Integrated Digital Experience Act).
- 6.2.65 EPA prefers the system allow permission-based EPA users to create custom tasks.
- 6.2.66 The system must allow permission-based EPA users to delete cases.
- 6.2.67 The system must be accessed through the Common Access Card (CAC)/ Personal Identity Verification (PIV) authentication process.
- 6.2.68 The system must allow software administrators to create and manage account profiles and all role-based permissions, including those for: Software Administrators, Operations & Maintenance Staff, Public Requesters, Public Viewers, FOIA Leadership & Management, Report Processors, Intake Review Processors, Expedited Processing Processors, Fee Waiver Processors, Awareness Notification Processors, Privacy Act Processors, Appeals/Litigation Processors, FOIA Officers/Coordinators, Case Processors, Subject Matter Experts, Document Reviewers, Final Determination Signatories.
- 6.2.69 EPA prefers that the system have the ability to create a non-public/internal view for Privacy Act requests and provide a public view with the ability to post comment, "For statutorily protected requester privacy, this description is not available to the public." and "For statutorily protected requester privacy, these attachments are not available to the public."

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- 6.2.70 The system must be able to designate uploaded records by standard FOIA parameters (e.g., UU unredacted unreleasable, RU redacted unreleasable, RR redacted releasable, RU redacted unreleasable) and sort records by those parameters.
- 6.2.71 The system must accept the following file types for upload: 'bmp', 'jpg', 'jpeg', 'gif', 'png', 'odt', 'txt', 'pdf', 'docx', 'xlsx', 'pptx', 'mp4', 'mp3', 'mpg', 'mov', 'avi', 'wav', 'wmv'.
- 6.2.72 EPA prefers the system comply with PL 115-36 (21st Century Integrated Digital Experience Act) Sec. 3 (a)(7) customized digital experience that allows EPA users and public users to complete digital transactions in an efficient and accurate manner; and (8) is fully functional and usable on common mobile devices and remain so through the duration of the contract term.
- 6.2.73 EPA prefers the system to allow the public full-text records search capability for all FOIA requests and released records residing in the repository.
- 6.2.74 The system must describe how and the frequency in which backup files are validated and tested and how these tests results are communicated to EPA users.
- 6.2.75 The system must be able to create the FOIA Annual Report in accordance with Department of Justice guidelines and handbook for the FOIA Annual Report.

6.3 Operations and Maintenance (6 requirements)

- 6.3.1 The system must be accessible through the internet for EPA users and public users on a continuous basis for on-demand access at all times, subject only to allow for scheduled and non-scheduled downtime no greater than 1% of the time.
- 6.3.2 The system must allow EPA users and public users to establish appropriately privileged accounts on-demand using a government approved authentication process such as login.gov without the need for additional account management.
- 6.3.3 The system must allow public users to manage their own profile information on demand to allow users to update their electronic and physical contact information and payment settings.
- 6.3.4 The system must allow public users to access records on-demand pertaining to their FOIA submission(s) as authorized by EPA users.
- 6.3.5 The system must allow for EPA users to manage all records pertaining to FOIA requests including items published to the public and items restricted to EPA users only.

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- 6.3.6 The system must meet each of the tasks as indicated on the EPA Cybersecurity Checklist, which is included as Addendum 2 to the PWS.

6.4 Help Desk Support (7 Requirements and 3 Preferences)

- 6.4.1 The contractor must deliver a service level agreement (SLA) in writing for all customer support services both public users and EPA users.
- 6.4.2 The contractor must provide help desk support through both email and phone support.
- 6.4.3 EPA prefers the contractor provides email support with a support request ticket number to track and identify the request, containing an acknowledgment response time and an estimated resolution time.
- 6.4.4 EPA prefers the contractor provides a status email for requests taking longer than one business day by providing a daily status update
- 6.4.5 The contractor must staff the help desk from 7am eastern time to 6pm pacific time.
- 6.4.6 The contractor must provide timely resolution of reported issues to ensure the system functions as intended and meets EPA user and public user needs.
- 6.4.7 EPA prefers the contractor provides multiple technical support offerings and/or packages that allows EPA to decide the level of support desired.
- 6.4.8 The contractor must retain, store, and archive all support request ticket contents for reporting and review.
- 6.4.9 The contractor must provide weekly reports detailing each request by support ticket number, including the level assigned, the requester name, the issue description, the dates, and times from initial contact to resolution.
- 6.4.10 The contractor must provide a monthly system usage metrics report that includes data growth and EPA user and public user account activities, e.g., disabled, locked, new, deleted, inactive.

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6.5 Training (5 Requirements and 1 Preference)

- 6.5.1 The contractor must provide training environment that replicates the production system so that EPA users may conduct the training exercises.
- 6.5.2 The contractor must conduct six, live, full-day (i.e., six hours) instructor-led hands-on training sessions for a minimum of 150 EPA employees so that EPA users obtain the knowledge to complete their job duties. Training survey results must have an 90% effective rating for contractor training to be accepted as complete.
- 6.5.3 The contractor must provide training exercises so that EPA users may obtain self-paced, solo, hands-on training for specific training scenarios relative to their permission level and/or job duties.
- 6.5.4 The contractor must provide EPA user training manuals, so that EPA users can efficiently utilize the system.
- 6.5.5 The contractor must provide three, live, half-day, i.e., four-hour, instructor-led administrator training for a minimum of 60 EPA employees so that EPA users with administrative privileges may obtain the knowledge to complete their job duties.
- 6.5.6 EPA prefers that the contractor provides a comprehensive collection of on-demand training videos so that EPA users may conduct self-paced, solo, training sessions.

6.6 Interoperability (6 Requirements and 4 Preferences)

- 6.6.1 The system must integrate with EPA's identity management system to provide identity verification for EPA users, i.e., Personal Identity Verification (PIV) card/ Common Access Card (CAC) card access.
- 6.6.2 The system must provide a two-way API for integration with FOIA.gov for the purpose of updating EPA instructions and contact information and for receipt of FOIA requests submitted through FOIA.gov in compliance with DOJ requirements.
- 6.6.3 The system must integrate with FOIA.gov for the purpose of FOIA data, such as the FOIA Annual Report and the FOIA Quarterly Reports, into FOIA.gov.
- 6.6.4 The system must provide two-way API integration with Login.gov.
- 6.6.5 The system must integrate with Lightweight Directory Access Protocol (LDAP) natively and remain so through for the contract term, including any subsequent the contract term.

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- 6.6.6 The system must provide two-way API integration with Pay.gov to ensure that payments received by Pay.gov are recorded in the system.
- 6.6.7 EPA prefers that the system integrates with e-Discovery software, Relativity, allowing requests' unique identifier to be tracked in Relativity and Relativity document productions to be placed into the system.
- 6.6.8 EPA prefers that the system send email through EPA's Microsoft Office 365 email system and capture correspondence sent to EPA users from any email system used by the requester.
- 6.6.9 EPA prefers that the system integrates with EPA's internal financial management system, (i.e., Momentum) to record financial transactions.
- 6.6.10 EPA prefers that the system integrates with EPA National Records Management Program software, Nuxeo.

6.7 Transition Support (11 requirements)

- 6.7.1 The contractor must designate and make available a primary lead and project manager to the EPA data migration team.
- 6.7.2 The contractor must participate in a not less than a seven-phase migration process over a continuous multi-week EPA data migration process led by EPA users.
- 6.7.3 The contractor must provide live (in-person or remotely) consultations to the EPA data migration team on the data model, illustrating mapping data requirements and procedures.
- 6.7.4 The contractor must provide six-week, advanced notice for the data migration kick-off meeting.
- 6.7.5 The contractor must receive and process approximately 5 TB FOIAonline data package in an XML data interchange format with accompanying file system folders of multiple file types, i.e., 'bmp', 'jpg', 'jpeg', 'gif', 'png', 'odt', 'txt', 'pdf', 'docx', 'xlsx', 'pptx', 'mp4', 'mp3', 'mpg', 'mov', 'avi', 'wav', 'wmv'.
- 6.7.6 The contractor must obtain an Amazon Web Services (AWS) account to access and download the secured, encrypted FOIAonline EPA data package from an AWS S3 location.

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- 6.7.7 The contractor must download the FOIAonline EPA data package and validate the package with a computed hash value as instructed by the EPA team.
- 6.7.8 The contractor must develop data importation scripts necessary to read and import the FOIAonline EPA data package into the new system.
- 6.7.9 The contractor must provide the EPA team with application access to newly imported data so that the EPA team may confirm and validate the import success.
- 6.7.10 The contractor must temporarily keep the downloaded data package in a secure location until EPA confirms the importation was successful.
- 6.7.11 The contractor must test the system to confirm that data migration is complete and confirm that data integrity is 99.9% acceptable to EPA.

6.8 Records Management (1 Requirements and 5 Preferences)

- 6.8.1 The system must comply with the Federal Records Act (44 U.S.C. Chapter 31).
- 6.8.2 EPA prefers that the system provides workflows implementing EPA Records Schedules 0263 and 1049, allowing EPA users to create/receive; maintain and use; and dispose of records.
- 6.8.3 EPA prefers that the system provides the ability for EPA records schedules to be included in records' meta-data, allowing for standardized classification and disposition rules to be applied to all records in the system.
- 6.8.4 EPA prefers that the system identifies and manages records released to the public, and records unreleased to the public, according to EPA's records schedules, allowing FOIA processors to manage all records related to each request.
- 6.8.5 EPA prefers the system provides EPA users full-text document search capability for all records stored in the system.
- 6.8.6 EPA prefers the system provides the public full-text document search capability for all records released into the public repository.

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7. APPLICABLE STATUTES AND REGULATIONS

- Federal Records Act (44 U.S.C. Chapter 31)
- EPA Records Schedules 0263 and 1049
- The Freedom of Information Act (5 U.S.C. § 552)
- Privacy Act (5 U.S.C. § 552 (a))
- EPA Processing Privacy Act Requests Procedure Directive No. CIO 2151-P-08.0
- EPA FOIA Regulations 40 C.F.R. § 2.100 et seq
- Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d)
- Administrative Procedures Act of 1946
- 21st Century Integrated Digital Experience Act (PL 115-36)
- EPA Directive No. CIO 2136.0, EPA Electronic Signature Policy
- Department of Defense Directive 5015.2, Electronic Records Management Software Applications Design Criteria Standard
- National Archives and Records Administration Electronic Records Management Regulations (36 C.F.R. Part 1236)
- Government Paperwork Elimination Act of 1998 (Pub. L. 105-277)
- EPEAT compliance for covered asset acquisition requirements (www.epeat.net)
- Capability Maturity Model Integration (CMMI) Level 3 Certification
- Clinger-Cohen Act of 1996 and associated OMB guidance and directives
- Federal Register Act of 1935
- Federal Enterprise Architecture and associated guidance and models

8. TECHNICAL DIRECTION, DELIVERABLES AND DELIVERY SCHEDULE

8.1 Technical Direction

The Office of General Counsel (OGC), National FOIA Office (NFO) will submit technical direction as needed. The specific documented technical direction will be delivered by the contracting officer representative (COR) to the contractor and EPA's contracting officer (CO).

The contractor must not perform any tasks under this contract that constitute policy decision-making, or any activity that is managerial and the direct responsibility of EPA.

All migration content must be provided by EPA. Communication with the user community for new processes and procedures will be initiated by EPA.

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8.2 Delivery Schedule

Deliverable/Activity	Due Date
Kick-Off Meeting	5 business days after contract award
Draft Project Management Plan	10 business days after kick-off meeting
Final Project Management Plan	5 business days after EPA comments
Project Meetings	5 business days after contract award
Project Documentation	based on project's requirements*
Quality Assurance Plan and Surveillance Plan	will be approved bi-laterally if changes are required.
O&M Activities	all activities loaded and tracked in the project plan
Project and Contract Status Meeting with COR	in person or via MS Teams or email, weekly.
Weekly Report	as needed
Schedule	weekly, monthly – as needed
Invoices	as agreed, upon in the award

**Project Documentation – in most cases, MS Teams and EPA's SharePoint environment will be used to manage project documents, requirements and operations and maintenance tasks.*

At minimum, the following are required: project plan outlining the goals and requirements of the project; deliverables and schedule for delivery; requirements document; operations and maintenance (O&M); contractor's internal testing plan; user acceptance testing plan for interim and final deliverables.

The scope of each of these deliverables shall be based on the complexity and scope of the project.

8.3 Notice Regarding Late Delivery

The contractor must notify the EPA project team and COR, as soon as it becomes apparent to the contractor, that a documented scheduled delivery will be late. The contractor must include in the notification the rationale for late delivery, the expected date for the delivery and the project impact of the late delivery. The EPA project team and COR will review the new schedule and provide guidance to the contractor.

8.4 Notice of Acceptance or Rejection

The Government shall provide written notification to the contractor of acceptance or rejection of all final deliverables.

All notifications of rejection will be accompanied with an explanation of the specific deficiencies causing the rejection.

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9. QUALITY ASSURANCE SURVEILLANCE PLAN

EPA will use a quality assurance surveillance plan (QASP) that defines standards; measurement methodology; frequency; and positive or negative incentives. The COR will conduct random surveillance of work products. The contractor shall develop their own internal Quality Assurance Plans to ensure that deliverables meet the standards identified in the QASP. The QASP is included as Addendum 1 to the PWS.

10. BASIS OF ACCEPTANCE

The basis for inspection and acceptance must be in compliance with the requirements set forth in the contract, the contractor's proposal, and other terms and conditions of the contract, including the Government Quality Assurance Surveillance Plan (QASP) or another documented project-specific metric. Deliverable items rejected must be corrected in accordance with the applicable clauses.

Reports, documents, and narrative deliverables will be accepted when all discrepancies, errors, or other deficiencies identified in writing by the EPA have been corrected.

All the EPA's comments to deliverables must either be incorporated in the succeeding version of the deliverable, or the contractor must demonstrate to the EPA's satisfaction why such comments should not be incorporated.

11. PLACE OF PERFORMANCE

Unless directed by the EPA COR, work will be performed at the Contractor's virtual or physical location. Travel to EPA offices in Washington, D.C. will be required as requested by the EPA COR. Contract meetings and other Project-specific meetings can occur at the government site which is located at.

Environmental Protection Agency
William Jefferson Clinton North Building (WJC North)
1200 Pennsylvania Avenue N.W.
Washington, DC 20460

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12. PERIOD OF PERFORMANCE

The period of performance of this contract shall consist of one twelve-month base period plus four (4) Option Periods.

Base Period February 1, 2023, through January 31, 2024
Option Period 1 February 1, 2024, through January 31, 2025 (if exercised)
Option Period 2 February 1, 2025, through January 31, 2026 (if exercised)
Option Period 3 February 1, 2026, through January 31, 2027 (if exercised)
Option Period 4 February 1, 2027, through January 31, 2028 (if exercised)

13. HOURS OF WORK

The anticipated hours of performance for the contractor must be from 6:00 a.m. eastern standard time to 6:00 p.m. pacific time Monday through Friday.

If there is a necessary change to the hours of performance, the Program Manager must obtain written approval from the CO in order to make these changes. The COR and the contractor must mutually agree upon all deviations to this schedule not mentioned herein and the Program Manager must first obtain written approval for any overtime from the COR.

14. PERSONNEL

To successfully administer this Performance Work Statement, the contractor must fill key positions with highly experienced staff. Personnel assigned to key positions, as well as other proposed staff, must demonstrate experience in required skill sets.

The Contractor must ensure a stable workforce during the performance of this contract. The Contractor must designate key personnel including a Program Manager, a Project Manager, and a Technical Manager.

15. PROGRAM MANAGEMENT

Work performed in support of this Performance Work Statement requires a program manager who provides, project oversight; team building; clear and timely communications; excellent time and risk management; an understanding of software integration; and excellent customer service skills.

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Program management activities includes:

- Drafting, finalizing, and sharing a project management plan.
- Performing quality control activities to ensure the project team's staff have skills to deliver project requirements efficiently and effectively,
- Invoicing preparation, submission, and issue resolution regarding invoice questions.
- Providing project oversight, ensuring quality control and rapid, effective corrective actions if issues arise.
- Ensuring regular communications with EPA project managers to ensure the project is being managed successfully and the customer satisfaction is high.
- Participating in project status meetings with regular reporting to the COR and NFO staff on a schedule to be determined, providing detailed project status, issue reporting, and issue resolution.
- Providing weekly access to agency usage reports to include, number of EPA user logins, number of public user logins; number of agency records released to the public.

16. PROJECT MANAGEMENT

Work performed in support of this Performance Work Statement requires a project manager, preferably with a Project Management Professional (PMP) certification, who provides, project oversight; team building; clear and timely communications; excellent time and risk management; an understanding of software integration; and excellent customer service skills.

Project management activities includes:

- Executing the project management plan.
- Coordinating and participating with the EPA project team to initiate the project, lead the contractor team, and communicate effectively with EPA team,
- Working closely with the program manager to ensure status, risks and issues are communicated to the EPA project team.
- Providing project oversight, ensuring quality control and rapid, effective corrective actions if issues arise.
- Providing regular communications with EPA project managers to ensure the project is being managed successfully and the customer satisfaction is high.
- Participating in project status meetings with regular reporting to the COR and NFO staff on a schedule to be determined, providing detailed project status, issue reporting, and issue resolution.
- Effectively address changes in work priorities and staffing.
- Ensuring deliverable quality and timeliness.
- Ensuring compliance with all Agency security and IT requirements.
- Executing testing plans and ensuring acceptance criteria is met.

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17. ORGANIZATIONAL STRUCTURE AND PRIVACY OF CONTRACT

The Government must have privacy of contract and right to directly enforce against the service provider all PWS requirements pertaining to records management, migration, storage, retrieval and transition. The Government prefers privacy of contract and right to directly enforce against the SaaS service provider all PWS requirements pertaining to the system and must be able to communicate technical direction pertaining to operation, configuration, maintenance, and development of the SaaS service system, help desk support, training services, and transition services. The contractor must continually implement a communication plan that ensures the Government direct, efficient, and effective means for communicating technical direction pertaining operation, configuration, maintenance, and development of the SaaS service system, help desk support, training services, and transition services.

18. PHASE-OUT CONTRACT TRANSITION REQUIREMENTS

The contractor must ensure the continuation of work and the orderly transition of responsibility to the new contract to include successful transition of work that is seamless to Office of General Counsel, National FOIA Office.

At the contract's expiration or termination, the contractor must provide transition phase-out support to the federal government or other service provider. The incumbent contractor must maintain full contract compliance during the period leading up to contract expiration or termination. The incumbent contractor must submit a phase-out plan 90 to 120 calendar days before contract completion or termination. The phase-out plan must address, at a minimum:

- Procedures for retaining staffing levels necessary to maintain required contract services through the day of contract expiration or termination.
- Procedures and staffing levels required for a complete, quality-controlled data transition to the federal government or other service provider before contract expiration or termination.

The incumbent contractor must coordinate its phase-out activities with the incoming contractor or federal government to allow a smooth transition at the end of the contract period. The incumbent contractor must remove all contractor-owned property from government cloud systems, spaces, or facilities by close of business on the last day of the contract.

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19. SECURITY

EPA has the right to restrict and control access to its facilities, virtual and physical property, and data. The contractor must ensure all contractor employees complete the following requirements before starting work on the contract.

- Submit all forms required for initiation of a background investigation
- Complete the required Computer Security Awareness Training
- Sign the EPA Non-Disclosure Agreement

20. NON-DISCLOSURE AGREEMENT

A formal non-disclosure agreement and/or conflict of interest agreements will need to be completed in order to have access to any EPA FOIA documents and system.